I. PLEDGE OF ALLEGIANCE

Chairman Wayne Chimarusti called the regular June 22, 1994, meeting of the Governing Board of the Tahoe Regional Planning Agency (TRPA) to order at 9:40 a.m. and asked Vice Chairman John Upton to lead in the Pledge of Allegiance.

II. ROLL CALL AND DETERMINATION OF QUORUM

Members Present: Mr. DeLany, Mr. Waldie, Mr. Kanoff, Mr. Sevison (for Placer County), Ms. Cavin (serving for Ms. Lau until Ms. Lau's arrival at 10:25 a.m.), Mr. Klein, Ms. Neit, Ms. Bennett, Mr. Westergard, Mr. Bradhurst, Mr. Upton, Ms. Hagedorn, Mr. Cronk, Mr. Chimarusti

Members Absent: Presidential Appointee (position vacant)

III. PUBLIC INTEREST COMMENTS

Mr. Steve Teshara, for the Lake Tahoe Gaming Alliance, advised the Board of the recent award given by the National Organization of Partners for Livable Communities to the Gaming Alliance and the Tahoe-Truckee Regional Economic Coalition (TTREC). The Entrepreneurial American Leadership Award honored the Alliance for its leadership in providing sponsorship of the regional economic conferences and TTREC for its role in establishing collaborative partnerships to improve the overall quality of life for residents and tourists. Lake Tahoe was one of 16 communities honored with the award. The recently published report entitled, "The State of the American Community," featured TTREC, Lake Tahoe, and regional strategies. Mr. Teshara expressed pleasure that the TRPA Governing Board supported the TTREC effort by providing staff assistance and presented a copy of the report to Executive Director Jim Baetge.

Ms. Rochelle Nason, for the League to Save Lake Tahoe, noted that the House Appropriations Committee in Washington had eliminated all appropriations for the coming fiscal year for the purchase of sensitive lands at Lake Tahoe through the Burton-Santini program. This resulted because the Forest Service had not spent the money that was allocated to it in the past fiscal year. Ms. Nason asked the Board and others to write the Tahoe Basin legislators urging the reinstatement of the funding and explaining the critical role of acquisition programs in the Tahoe Basin. Ms. Nason asked that TRPA send a letter to the Regional Forester, Mr. Ron Stewart, urging him to improve the Forest Service's management of the program.

Chairman Chimarusti suggested that staff look into setting up a meeting with Nevada Senator Harry Reid, the League and others to discuss this further.

Mr. Dwight Steele, Alpine Meadows homeowner, expressed concern with the continuing problem of fences and walls blocking views of the Lake from
roadways. The bistate compact addressed the public interest in protecting, preserving and enhancing significant scenic values, and this critical value was eroding because of obstruction of views to the Lake, particularly on the north and west shores. Of particular concern was the impact of the house on the narrow strip between the road and the Lake at Carnelian Bay and the recently constructed fence which blocked views and access to the Lake for more than 200 feet. The fence was 7-8 feet high and trees extended even above that. Mr. Steele suggested the Code contained too many provisions which served as escape hatches from basic policies and established goals and urged the matter be considered on a future agenda. The Board needed to make it clear to the public that fences would not be permitted to block views.

Mr. Richard L. Mudgett, new Advisory Planning Commission (APC) member, commented on the recent concerns expressed by APC members on the role and relevance of the APC. It was important that the Board members have the APC minutes as a part of their deliberations and that the APC be permitted to review matters not now within the APC’s purview. He had earlier requested that the APC discuss an SEZ encroachment matter which he had researched, and he was advised that the APC was not the proper forum.

Chairman Chimarusti responded that he had met with APC representatives on the role of the APC, and the APC would be discussing it in the future.

Ms. Mary Gilanfarr, for the Tahoe Sierra Preservation Council, asked that the discussion on Chapters 2, 41, and 43 relating to subdivisions (item VII G) be taken off the agenda for more public input.

Chairman Chimarusti responded this would be discussed when the Board approved the agenda.

IV. APPROVAL OF MINUTES

MOTION by Mr. Klein to approve the May 25, 1994, regular meeting minutes as presented. The motion carried unanimously.

V. APPROVAL OF THE AGENDA

Deputy Director Jerry Wells noted that the applicant for the amendments to Plan Area Statement 057, Spooner Lake, and 059, Shakespeare Point (item VIII B.) had requested the matter be withdrawn.

Agency Counsel R. J. Nicolle noted that the Grable Ronning Appeal (item IX A.) was to be continued a month. Continuance of the matter would occur with the Board’s action on the agenda.

MOTION by Mr. DeLanoy to approve the agenda as discussed. The motion carried unanimously.

VI. CONSENT CALENDAR

Mr. Waldie asked that the Schumacher II resolution of enforcement (item 1) be removed from the calendar and acted on separately.
Mr. Klein noted he would abstain on the Video Maniacs commercial change in operation (item 5).

Ms. Neft noted she would abstain on the Foothills Farmers Market commercial operation (item 2).

Deputy Director Jerry Wells noted that an amended condition of approval was being recommended by staff for the Video Maniacs project. Because the total daily vehicle trip ends was changed from 379 to 332, the mitigation fee was to be reduced to $6,640. Staff had distributed a copy of the amended condition.

Mr. Wells noted that the applicant for the Lake Tahoe Airport land capability challenge (item 15) had requested a continuance to July.

**MOTION** by Mr. Severson to approve the consent calendar as discussed. The motion carried, with Mr. Klein abstaining on item 5 and Ms. Neft abstaining on item 2.


Schumacher II, Resolution of Enforcement, Washoe County APN 130-230-16, -17, -18 (consent calendar item 1)

Mr. Waldie questioned the terminology in the conditions of the settlement and the suggestion that TRPA would "fairly" act upon the application. This adverb was unnecessary, since all applicants were to be treated in this manner. On the matter of the policy, he did not feel it appropriate for a wrong-doer to be permitted to get in line in terms of having his or her application considered over all those who had been in line for months. He also questioned how much money had been spent on outside counsel as a result of the violation and whether the $5,000 fine covered that cost. There had been a rather contemptuous response by Mr. Schumacher to staff's enforcement efforts, and it
was bad policy to consider moving his application in front of others. He preferred that the settlement say nothing about future treatment of an application.

Mr. Steve Chilton, Chief of the Compliance Division, responded there was no intent to move Mr. Schumacher's application ahead of others, and the terms of the agreement were put together by outside counsel.

Agency Counsel R. J. Nicolle explained that the reference to TRPA's "fairly" acting upon the application was for the purpose of showing there would be no bias against Mr. Schumacher or his application because of the previous Code enforcement problems.

Mr. Richard Campbell, Mr. Schumacher's attorney, explained he had no problem with deleting the term "fairly" from the conditions; it was never his intent to have the application acted on before others already in line. Since there was some history on the case, he just wanted to make sure the application was treated the same as all the others. He anticipated that TRPA would act upon the application in its normal process. Mr. Schumacher intended to make an application to complete the boat lift. If it were taken out now and later approved, there would be two construction projects in the Lake (the removal and the possible reinsertion).

Ms. Bennett expressed concern with the Agency's ability to recover legal fees. In addition to payment of the $5,000 fine, she favored having Mr. Schumacher pay outside counsel fees.

Ms. Nicolle explained that the bistate compact allowed TRPA to collect civil penalties not to exceed $5,000 for violations of the Code. While there was a potential for additional per-day charges, this had not been tested and she was not confident a judge would approve a multiple-day charge.

Mr. Sevison suggested Mr. Schumacher be required to post a bond to guarantee that if the application was not acted on favorably there would be money to draw against to remove the H beam.

**MOTION** by Mr. Cronk that the Board approve the staff recommendation in the Schumacher matter with a modification that TRPA act on the application following its normal procedures. The motion failed on the following vote:

**Ayes:** Mr. Westergard, Mr. Upton, Mr. Kanoff, Mr. Klein, Ms. Cavin, Mr. Sevison, Mr. Bradhurst, Ms. Neft, Mr. Cronk

**Nays:** Mr. Waldie, Ms. Bennett, Ms. Hagedorn, Mr. Chimarusti

**Abstain:** Mr. DeLancy

**Absent:** None

Ms. Hagedorn asked that Agency Counsel provide an interpretation in the future whether the Board could, in spite of the limitation in the compact, obtain full recovery of legal costs outside of the fining structure.

Mr. Westergard asked that the Legal Committee be directed to consider the policy of the Board as it related to treatment of facilities or works that
were placed in violation of the code and the ordinances and the policy that would in fact make the property owner hold to the subsequent processing of a permit. The action and policy should require structure removal. The reason he had supported the motion was because of its history and the argument that more damage could be done by two actions in the Lake. TRPA had to get to the point where everyone in the Basin was aware that any work installed without permit would be automatically removed.

Chairman Chimarusti directed this suggestion be taken up by the Legal Committee.

**MOTION** by Mr. Sevison to reconsider the Schumacher matter. The motion carried on the following vote:

**Ayes:** Mr. Upton, Mr. Kanoff, Mr. Klein, Ms. Cavin, Mr. Sevison, Mr. Bradhurst, Ms. Neft, Mr. Cronk, Mr. Westergard, Mr. Chimarusti

**Nays:** Mr. Waldie, Ms. Bennett, Ms. Hagedorn

**Abstain:** Mr. DeLancy

**Absent:** None

**MOTION** by Mr. Sevison to approve the staff recommendation on Schumacher with the deletion of the term "fairly" and with added language that TRPA would then act upon the application following its normal procedures. A $5,000 bond was required for removal of the beam, and there would be reimbursement to TRPA for outside attorney fees. The action included a $5,000 fine. The motion carried with Mr. DeLancy abstaining.

(Ms. Lau replaced Ms. Cavin at the dais at 10:25 a.m.)

**VII. PROJECT REVIEW**

**A. Forvilly/Round Hill Pines, Buoy Field Expansion/Multiple-Use Recognition, Douglas County APN 05-230-12**

Associate Planner Jim Lawrence presented the summary of the proposed application and described the primary issues. Staff recommended approval. The existing and expanded buoy field were available for public use. In response to Mr. Waldie's questions, staff explained the code provisions relating to deviation from standards, reduction in development potential, and multiple use recognition.

Mr. Gary Midkiff, a Zephyr Cove resident, commented that in Douglas County only Zephyr Cove Lodge and Round Hill Pines were available for mooring boats on the Lake. When the Lake was low, there simply were no mooring facilities available to the public. Providing public access to the Lake and public recreation facilities were recognized as priorities in the Regional Plan, and he urged Board approval of this proposal to provide that access.

Mr. Frank Forvilly, one of the applicants, noted the property in question belonged to the Forest Service; the application was attempting to fulfill a need of the boating public.
MOTION by Mr. Kanoff to make the findings necessary to approve the Forvilly/Round Hill Pines application. The motion carried with Mr. Waldie voting in opposition.

MOTION by Mr. Kanoff to approve the project based on staff summary and subject to staff conditions. The motion carried with Mr. Waldie voting in opposition.

B. Sweetbriar Buoy Relocation/Multiple-Use Recognition, Placer County APN 117-180-49

Associate Planner Jim Lawrence presented the proposal to relocate existing buoys and recognize multiple-use of the facility. Staff recommended approval of a temporary relocation.

Mr. Gregg Lien, the applicant's representative, explained the temporary use would be permitted only during the time it was essential for boater safety. There were no fences on the high or low water side of the property, and there were numerous public access points along the beach.

MOTION by Mr. Sevison to make the findings for approval of the Sweetbriar project as proposed. The motion carried unanimously.

MOTION by Mr. Sevison to approve the project with conditions as proposed. The motion carried unanimously.

C. Contempo-Airy, Inc., New Outdoor Recreation Concession and Commercial Boating, New Hot Air Ballooning Operation, El Dorado County APNs 32-100-04 and 22-210-10

Associate Planner Jim Allison described the hot air balloon proposal and handed out and further amended a new condition requiring the applicant to submit a copy of the final approval from the Coast Guard Vessel Inspection Division, Marine Safety Office. Staff recommended approval.

Chairman Chimarusti advised he had received a call from a Mr. Andy Anderson, of Alameda, California, a consultant for a previously approved balloon operation. Mr. Anderson felt that, in addition to Coast Guard approval, FAA approval was also necessary.

Mr. Allison noted that FAA approval was necessary for any aircraft operation. The balloon would be operated under FAA rules but did not need specific FAA approval. The balloon would need to be operated by a licensed FAA pilot.

Mr. Klein commented this was a well researched recreational opportunity, and the concerns about potential conflicts had been resolved. The Airport Director had determined there would be no conflict with scheduled aircraft, and the City was satisfied with the proposal.

Mr. DeLanoy asked that the applicant agree to indemnify and hold TRPA harmless. He questioned the insurance limitations and asked that the applicant name TRPA and its Board as additional insured under the policy.
Applicant Mark Boulet explained he had the maximum coverage available, up to $1/2 million property damage and $100,000 maximum per occupant. This was standard for the commercial hot air balloon industry.

Ms. Bennett objected to the proposal, suggesting because the balloon was a slow-moving object that it would conflict with airport and airplane activities. Hot air balloons were never operated near airports and if approved here would pose the potential for a major disaster.

Mr. Boulet responded to Board member questions regarding balloon right-of-way, the requirement to carry standard FAA radios, the FAA license, liability limits, size, maneuverability, impact on beaches and swimmers, previous operations in Ft. Lauderdale, the ability to increase insurance to $1 million, and noise impacts.

Ms. Lau asked that the paragraph discussing noise in the staff summary (page 2) be modified, in part, to read, "Noise generated by the firing of the burner lifting each balloon is-not-expected-to-will not exceed the maximum allowable noise levels. The effect of a balloon firing the burners is-expected-to-will have essentially no effect on the Community Noise Levels (CNEL)."

Mr. DeLanoy asked that page 8 of the conditions be amended to require $1 million per passenger insurance.

Mr. Boulet explained that the maximum insurance he could obtain was $1 million for property and $100,000 per passenger.

Mr. Allison asked that a new condition 15 be added to Governing Board approval requiring that "the balloon is prohibited from landing and/or deflating at any beach location identified by TRPA to have Rorippa subumbellata."

**MOTION** by Mr. Klein to approve the findings for approval of the hot air balloon operation. The motion carried on the following vote:

_Ayes:_ Mr. Kanoff, Mr. Klein, Mr. Severson, Mr. Bradhurst, Ms. Neft, Mr. Cronk, Mr. Westergard, Mr. Upton, Mr. Chimarusti

_Nays:_ Ms. Lau, Mr. DeLanoy, Mr. Waldie, Ms. Bennett, Ms. Hagedorn

_Abstan:_ None

_Absent:_ None

Mr. Jay Kniep, the representative for a previously approved balloon project, commented on differences between the two proposals. The vessel in the earlier application was specifically designed for retrieving hot air balloons. That was not the case here. Before bringing his application to the Board, he was required to get a letter from the Coast Guard stating that the boat and operation were acceptable; he did not think the finding that the proposal was safe could be made by the Board prior to Coast Guard review.

Ms. Hagedorn commented she did not object to the boat operation but did have concerns with the limit on liability coverage. In every situation she had dealt with previously, a minimum of $1 million in liability was required.
Ms. Bennett questioned the fact there was no written documentation from the airport manager on where the balloon would take off and set down and no assurance on the safety of the operation. The proposed use was incompatible with a busy and active general aviation airport.

Discussion followed among Board members on the operation, flight patterns, and safety.

MOTION by Mr. Klein to approve the balloon operation with the modification to the findings as suggested by Ms. Lau (that noise levels would not exceed maximum allowable levels) and with a requirement that TRPA be made an additional insured and liability limits increased to the maximum allowed ($1 million and $100,000 per passenger). New conditions would require U.S. Coast Guard Vessel Inspection Division, Marine Safety Office approval and a prohibition on use of beaches containing *Rorippa subumbellata*. The motion carried on the following vote:

Ayees: Mr. Klein, Mr. Severson, Mr. Bradhurst, Ms. Neft, Mr. Cronk, Mr. Westergard, Mr. Upton, Mr. Kanoff, Mr. Chimarusti

Nays: Ms. Lau, Mr. DeLanoy, Mr. Waldie, Ms. Bennett, Ms. Hagedorn

Abstain: None
Absents: None

Mr. Wells commented that the number of such applications in the future in the shorezone would be addressed in the shorezone cumulative analysis.

Mr. Severson asked staff to look into the insurance liability limits, since the $100,000 was not consistent with what was required elsewhere.

VIII. PUBLIC HEARING AND ADOPTION OF ORDINANCES/RESOLUTIONS

A. Amendment of Chapter 4, Project Review and Exempt Activities, to Adopt MOU Between TRPA and the Lahontan Regional Water Quality Control Board to Exempt Certain Activities From TRPA Review

Deputy Director Jerry Wells summarized the proposal to delegate to Lahontan and to TRPA certain activities now being done jointly. While staff and the APC had recommended approval, APC member Stan Hansen was concerned that there be identical, coordinated monitoring requirements between TRPA and Lahontan. Staff had met with Lahontan on this particular issue to insure there would be coordination. Mr. Wells responded to questions on delegation, resolution of potential conflicts between permit processing time and availability of funding for project implementation, and long-term work load reductions.

Ms. Rochelle Mason, for the League to Save Lake Tahoe, expressed concern that initially the MOU would have resulted in TRPA's work load remaining the same and Lahontan's work load being reduced in the Basin and shifting elsewhere. There was nothing in the finalized MOU that would prevent this, although there was now a commitment from both agencies not to reduce the level of resources devoted to the Tahoe Basin. This should be monitored. The League also urged the Board to have staff work with Lahontan staff on reporting procedures to insure that responsible parties were notified of water quality violations.
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APC member Stan Hansen advised he had voted in opposition to the MOU at the APC because of monitoring requirements and his concern that those required to monitor water quality not be faced with an array of standards and methodologies. Heavenly Valley Ski Resort had monitored its property for over 15 years and was faced with different monitoring requirements for Nevada, for California and for the Lahontan Region. He wanted the constituents being monitored and analyzed to be consistent for all entities.

APC member Richard Nudgett suggested that the APC had approved a modification to the MOU which was not shown in the packet material. This change related to item 8 (page 3 of the MOU) and restricting the issuance of exemptions to the appropriate agency. Lahontan should not be granting exemptions to TRPA's laws. Any permutations to TRPA rules should be done only by the TRPA Board.

Mr. Wells suggested that this item be amended in response to Mr. Nudgett's concern to provide that "Only the agency issuing a permit will be responsible for approval of exemptions to prohibitions related to Stream Environment Zone disturbance, in accordance with the TRPA Code of Ordinances."

In response to Ms. Nason's concern regarding reporting of violations, Mr. Wells suggested that item 12 on page 4 of the MOU be modified to read, "Staff of the Lahontan RWQCB and TRPA shall cooperatively provide technical review, training, and comments to each other, upon request, for any applications reviewed under this MOU." With regard to the standardization of monitoring, there was nothing specific in the MOU on the quality of monitoring. It was assumed that it would be done professionally. This was, perhaps, more of a performance issue than an MOU issue and could be addressed in the audit.

Mr. Sevison suggested there be a standardization of the reports given to the respective governing boards each February (item 15 of the MOU).

Since there were no other comments, the hearing was closed.

MOTION by Mr. Sevison to approve the findings for the TRPA/Lahontan MOU. The motion carried unanimously.

MOTION by Mr. Cronk to adopt Ordinance No. 94-12.

Chairman Chimarusti read the ordinance by title:

An Ordinance Amending Ordinance No. 87-9, as Amended, by Amending Chapter 4 of the Tahoe Regional Planning Agency Code of Ordinances Relating to Exempt Activities; Adopting a Memorandum of Understanding With Lahontan Regional Water Quality Control Board to Exempt Certain Activities From TRPA Review; and Providing for Other Matters Properly Relating Thereto.

The motion carried unanimously.
C. Amendment of Chapter 24, Driveway and Parking Standards; Chapter 26, Signs; Chapter 30, Design Standards; and the Stateline/Ski Run Community Plan to Adopt the Stateline/Ski Run Community Plan Standards and Guidelines for the Entire City of South Lake Tahoe

Principal Planner Gordon Barrett presented a summary of the proposal to adopt an ordinance providing for implementation of Community Plan sign and design standards throughout the City of South Lake Tahoe.

Since no one wished to comment during the public hearing, the hearing was closed.

MOTION by Mr. Klein to make the appropriate findings for the ordinance. The motion carried unanimously.

MOTION by Mr. Klein to adopt Ordinance No. 94-13.

Chairman Chimarusti read the ordinance by title:

An Ordinance Amending Ordinance No. 87-9, as Amended, by Amending the Regional Plan of the Tahoe Regional Planning Agency, as Amended; Adopting City Standards and Guidelines by Adopting Amendments to the Stateline/Ski Run Community Plan; Amending Chapters 24, 26, and 30 to Provide for City-Wide Standards and Guidelines; and Providing for Other Matters Properly Relating Thereto.

The motion carried unanimously.

D. Amendment of Chapter 4, Project Review and Exempt Activities, to Revise City of South Lake Tahoe MOU Regarding Implementation of the City-Wide Standards and Guidelines

Principal Planner Gordon Barrett presented the summary of the MOU which would provide for the City to implement the city-wide standards and guidelines.

No one wished to comment during the public hearing.

MOTION by Mr. Klein to make the findings to amend Chapter 4 as outlined. The motion carried unanimously.

MOTION by Mr. Klein to adopt Ordinance No. 94-14.

Mr. Klein read the ordinance by title:

An Ordinance Amending Ordinance No. 87-9, as Amended, by Amending Chapter 4 of the Tahoe Regional Planning Agency Code of Ordinances Relating to Exempt Activities; Amending a Memorandum of Understanding With the City of South Lake Tahoe to Exempt Certain Sign Activities From TRPA Review; and Providing for Other Matters Properly Relating Thereto.

The motion carried unanimously.
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The meeting recessed for a lunch break from 12:00 noon to 1:30 p.m. Chairman Chimarusti noted that the Capital Financing Committee and the Legal Committee were meeting during the lunch break.

H. Finding of Technical Adequacy and Certification of the U.S. Forest Service Final EIS on the East Shore Timber Harvest Project

Chairman Chimarusti directed that the format of the discussion be staff presentation, followed by the Forest Service, then those in favor, those in opposition, and finally a Forest Service response. Board members would ask questions after each presenter.

Senior Planner Lyn Barnett explained that the draft EIS first went to the APC and Board in March 1994. Comments and responses were incorporated into the final document, and the APC recommended certification this month. A summary of concerns expressed by Mr. Mudgett, the dissenting APC voter, was included in the packet along with his written comments. The study area encompassed 10,000 acres, and the ultimate project proposed to remove dead, dying, and hazard trees and to thin trees over 6,600 acres. Staff felt the document was technically adequate and recommended its certification.

Mr. Robert McDowell, Planning Officer for the Forest Service, explained the project was a timber salvage and fuel reduction sale over 6,600 acres on the east shore of the Lake. The project extended from Marlette Lake south on both sides of the highway on National Forest land. There currently was severe insect infestation in the area which was worsened by the drought, and the purpose of the project was to remove dead material and to thin where necessary to promote forest health. Associated with the timber harvest, the Forest Service planned other natural resource projects, including 40 water shed restoration projects and reforestation with native species. The objective was to reduce fuel hazard and fire danger and to salvage material while it still had some value. The Forest Service estimated that 35.6 million board feet would be removed; volumes might increase. The Forest Service would reconstruct 9.5 miles of existing roads for hauling timber; 93% of the proposed harvest would be by helicopter; only 7% of the 6,600 acres would be tractor-logged. Aside from protecting sensitive land capability areas, helicopter logging would preserve the remnants of the historic Comstock logging activities. The remains of this period in history were so extensive that the Forest Service was nominating the area for the National Register. Along with the watershed restoration projects, in three years upon completion of the project, the Forest Service would close and restore 17 miles of existing roads. Mr. McDowell explained that, in the course of the hearing and public input process, the Forest Service had sent out 200 copies of the draft EIS and had received and responded to 35 comments in the final EIS.

Members of the Forest Service EIS team responded to Board member questions about the project, its size, the health of the trees, the type of trees in the area, fuels reduction, fire hazard, the type of cuts that were proposed, the terms of the sale, and the proximity to residential areas. Also addressed were dust abatement, logging truck haul routes, helicopter logging practices, water quality protection and restoration projects, the EIS process and NEPA/federal requirements, defensible space, tree marking practices, and

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coordination with Caltrans and NDOT to eliminate highway congestion.

During the course of the afternoon, Forest Service personnel who responded to questions about the EIS and, later, the project included Mr. McDowell; Scott Parsons, team leader; Ken Pence, transportation planner; Jeannie Jones, timber sale administrator; Kerrie Lukacic, soil scientist; Lisa O'Daly, community planner and appeal coordinator; Annelise Carleton, fisheries biologist; and Mark Johnson, fuels specialist.

In the public hearing phase of the discussion, those speaking in favor of the EIS and project included Mark Kimbrough, for Nevada State Parks; Fritzi Huntington, Glenbrook resident; Hank Weston, president of the 25-member Tahoe Fire Chiefs Association; Roy Trenowith, State of Nevada Forester; and Rex Harold, Nevada State Lands Forester on behalf of State Lands Administrator Pam Wilcox. Comments addressed the health of the forest, the need to move quickly to reduce the fire hazard, and the removal of diseased trees.

Those speaking with specific concerns and/or suggestions on the EIS and the project included John Thorne, arborist and forester; Marjorie Sill, for the Toiyabe Chapter of the Sierra Club; Michael Jackson and Rochelle Nason, for the League to Save Lake Tahoe; Carol Baker, former Forest Service employee; Tex Hamilton; former Tahoe Basin resident and arborist; and Tom Gregory, representing the California Sports Fishing Alliance.

Points raised included, in part, previous removal and violation problems with Forest Service timber harvest operations; an inability to prevent removal of green, healthy, and old growth trees; removal of more trees than what was permitted annually under the Forest Service plan; the enormity of the project; and the inadequacy of the environmental document and the range of alternatives. Also discussed were the adequacy of stream environment zone protection; the potential for a fire during and after the operation; fire hazard caused by the smaller fuels and kindling; problems caused by the uniform age and type of trees; the need to incorporate fire protection into the project for the coming 5-6 year period; provision for long-term treatment of the eco-system; and the need to update the Forest Service plan to address inconsistencies with the TRPA Regional Plan. Also cited were the need to use the most effective BMPs; the need to protect old growth trees and pockets of pre-Comstock growth; inadequate riparian zone protections; and a lack of consciousness of the trees themselves and the damage done to them.

At 5:35 p.m. following public comment and Forest Service and staff responses, Chairman Chimarusti closed the public hearing.

MOTION by Mr. Kanoff, with regard to the Forest Service EIS on the East Shore timber harvest project, to find the EIS was technically adequate and to certify it. The motion carried unanimously. (All members were present.)
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VII. PROJECT REVIEW (continued)


Associate Planner Paul Nielsen explained that the project before the Board represented the fourth alternative analyzed in the recently certified EIS; the conditions contained in Attachment T (distributed to Board members) were to be incorporated into the project.

Ms. Rochelle Mason, for the League to Save Lake Tahoe, asked the Board, if it were going to approve the project, to add conditions requiring the Forest Service: 1) before next summer’s operations, to prepare a cumulative effects analysis of the entire harvesting program and the prescribed underburns; 2) to submit an eco-system management plan prior to next summer’s harvest; 3) to commit to no cutting of old growth timber or sugar pines; 4) to provide for establishment of a protective zone around stream channels and SEZs for this coming year and submittal of a progress report on the amphibian study and on effectiveness of BMPs.

Chairman Chimarusti asked the staff, the Forest Service, and League representatives to work in another room on language addressing these concerns. In the meantime, the Board would take up other items on the agenda.

VIII. PUBLIC HEARING AND ADOPTION OF ORDINANCES

F. Technical and Other Clarifying Amendments to Chapters 2, 4, 8, 13, 20, 22, 24, 25, 28, 30, 33, 34, 35, 38, 78, 91, and 93

Agency Special Projects Attorney Susan Scholley explained these technical, housekeeping amendments were the first of several phases of cleanup amendments. She highlighted several of the amendments, including recognition of July 1, 1987, as the effective date of the Regional Plan; the initial number of the IPES line; and modification of a deadline for BMP retrofit program for livestock containment.

No one wished to comment during the public hearing.

MOTION by Mr. Klein to make the findings necessary to amend the ordinance chapters as proposed. The motion carried unanimously. (Mr. Westergard was out of the room.)

MOTION by Mr. Klein to adopt Ordinance No. 94-15.

Mr. Chimarusti read the ordinance by title:

An Ordinance Amending Ordinance No. 87-9, as Amended, of the Tahoe Regional Planning Agency; Amending Chapters 2, 4, 12, 20, 25, 28, 30, 33, 91, and 93 of the Code of Ordinances Relating to Clarification and Technical Amendments; and Providing for Other Matters Properly Relating Thereto.
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The motion carried unanimously. (Members present: Bradhurst, Neft, DeLancy, Waldie, Bennett, Hagedorn, Cronk, Upton, Kanoff, Klein, Lau, Severson, Chimarusti)

X. ADMINISTRATIVE MATTERS

A. Proposed 1994-95 Work Program, Workload Model and Three-Year Strategic Plan Update

Deputy Director Jerry Wells noted that the Board had received copies of these documents. Given the lateness of the hour, staff would not be making a presentation on them but would implement them starting July 1, with the understanding that they would be brought back to the Board in July if there were any modifications.

Chairman Chimarusti concurred with Mr. Wells' recommendation.

XI. PLANNING MATTERS

A. Status Report on Community Plan Schedules

Referencing the packet material, Principal Planner Gordon Barrett noted that the North Shore/Placer County plan, the Washoe County plan, and the Al Tahoe plan would be done February to April of 1995.

Mr. Bradhurst questioned Mr. Barrett on the status of the timing for release of the Placer County and Washoe County environmental documents and the administration of the EIS contract by Placer County. He had concerns with the length of time it was taking to get the work done and urged staff to ensure that the process and funding were kept on target. If changes were necessary to get things done, he hoped these changes would occur now and not this fall. Apparently there was some difference of opinion on the status of the environmental work.

Chairman Chimarusti directed that staff report back to the Board in July on the status of the plans relative to the target dates.

XII. COMMITTEE RECOMMENDATIONS AND BOARD ACTION

A. Finance Committee

1. Report on Committee Meeting

Finance Committee Chairman Kay Bennett reported on the topics covered in the morning meeting.

2. Receipt of the May Financial Statement and Check Register

MOTION by Mr. Kanoff to receive the statement and check register as recommended by the Committee. The motion carried unanimously. (All 14 members were present.)

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3. Fiscal Year 1994-95 Operating Budget

MOTION by Mr. Kanoff to approve the 1994-95 Operating Budget as recommended by the Committee. The motion carried unanimously.

C. Capital Financing Committee

Chairman John Upton noted that the Committee meeting was continued to 9:00 a.m. on June 23, at the TRPA office.

Executive Director Jim Baetge advised that the Committee was considering a list of locally submitted improvement projects which would use the mitigation funds.

Mr. Steve Teshara explained that the request for funding for some of these projects was submitted in Washington too late in the cycle, and there was an active, ongoing effort to get funding for the Cove East project later this year. If not this year, then next year. To get into the appropriation cycle, the Region needed consensus by February and no later than March. The cut slope project on Spooner project would be the second priority, and estimates would be obtained from NDOT for project completion.

Mr. Chimarusti urged forward movement on this so the same problem would not reoccur next year.

D. Rules Committee - no report

XIII. REPORTS

A. Executive Director

1. Status Report on Processed Projects


Mr. Baetge noted that, consistent with the discussion in May, these two reports would be presented to the Board every six months and not monthly.

3. Monthly Status Report

Mr. Baetge reported that there would be a number of items coming out of the Nevada Oversight Committee for recommendation to the Nevada Legislature, one of which involved a commitment to the partnership approach. The Board would need to decide which issues it wanted to be a part of this process. Additional funding ($120,000) would hopefully be coming from Nevada for this. His initial thoughts were SEZ restoration and parking management plan. He would be making some recommendations to the Board in July.

C. Governing Board Members

Ms. Neft reported that she and Jim Baetge met with Caltrans on June 21 on numerous issues, one of which was a plan to coordinate traffic management
during the summer highway construction efforts. A handout containing closure dates and a map were available for Board members and others to distribute as widely as possible. Also, Caltrans District 3 staff had agreed to approach Rick Lundgren, the person in charge of bike paths for Caltrans, to get some staff assistance in line with NDOT's assistance. The plan was to have a bike path around the Lake by the year 2000.

Ms. Bennett reported on the recent dedication of U.S. 50/Highway 28 as a scenic byway in the national program. She thanked in particular Senior Planner Andrew Strain for his work on the scenic program. This was the first scenic byway program of its kind in the country and would set the standard for others in the nation.

Mr. Waldie asked staff to look into the ownership of a barbed wire fence in the Lake in the area of Baldwin Beach. He did not understand how a barbed wire fence could extend across a public beach into the water.

Mr. Wells explained that the fence was adjacent to Forest Service land; and once a land exchange with the property owner was completed, the fence would be removed. The fence had been there for years, and there was no code requirement for its removal.

The TRPA recessed briefly for the meeting of the RTPA.

I. MEETING OF THE REGIONAL TRANSPORTATION PLANNING AGENCY (RTPA)

A. Resolution Allocating State Transit Assistance (STA) Funds ($33,974) to the City of South Lake Tahoe for Operating Assistance

Associate Planner Bridget Mahern presented a brief summary of the request.

MOTION by Mr. Klein to adopt RTPA Resolution No. 94-9. The motion carried unanimously.

B. Adoption of Overall Work Program for FY 94-95

Associate Planner Bridget Mahern presented a brief summary of the request.

MOTION by Ms. Lau to adopt RTPA Resolution No. 94-10 adopting the work program. The motion carried unanimously.

C. Resolution Allocating Transportation Development (TDA) Funds ($236,000) to El Dorado County for STAGE and TART

Ms. Mahern explained that the original proposal included a request for El Dorado County trust funds and an allocation for LTF funds for the next fiscal year. Staff decided to recommend allocation of the trust fund to get the County through the end of this year and to allocate FY 94-95 funds at the time they were allocated in general to local jurisdictions. Staff had not yet seen the numbers for the FY 94-95 allocation and did not want to start allocating funds without having more details on the numbers. Ms. Mahern presented more information on the allocation of $89,380 from El Dorado County's trust fund.
MOTION by Mr. Upton to adopt RTPA Resolution No. 94-11 as presented by staff. The motion carried unanimously.

Ms. Hagedorn asked that in the future the RTPA items be earlier in the agenda so that there would be time for discussion. RTPA matters in the past were usually taken up at the end of the day and did not get the discussion that was warranted.

Chairman Chimarusti suggested these be placed earlier on the agenda.

The RTPA meeting adjourned and the TRPA meeting reconvened.

XIV. RESOLUTION

A. For Gary A. Owen

Mr. Chimarusti read Memorial Resolution No. 94-11 honoring Agency Counsel Gary Owen for his significant and memorable efforts on behalf of TRPA and Lake Tahoe over the last twenty years.

MOTION by Mr. Severson to adopt the resolution for Gary. The motion carried unanimously.

VII. PROJECT REVIEW


Senior Planner Lyn Barnett presented the conditions drafted by TRPA staff, the Forest Service, and the League to Save Lake Tahoe as follows: 1) No later than May 1, 1995, the Forest Service shall submit to TRPA a plan for eco-system management for the east shore project area, subsequent to the completion of the east shore project. Such plan shall include consideration of the feasibility and desirability of prescribed underburning for each unit of the east shore project. 2) Not later than May 1, 1995, the Forest Service shall submit to TRPA an analysis of the watershed effects of its projected watershed impacts of its projected future forest vegetation management activities, including salvage operations and subsequent treatment, including the effects of underburning on the waters of Lake Tahoe. 3) Relating to old growth, TRPA staff shall review Forest Service markings of any live tree over 30" dbh (diameter breast height). The Forest Service will leave the largest 8 dead trees per acre. Mr. Barnett explained this was for wildlife habitat. The assumption was that the trees over 30" were old growth. To add a level of confidence here, TRPA staff would be looking at those trees also to make sure the Forest Service was not cutting out the larger trees. 4) Before May 1, 1995, the Forest Service will provide a report on east shore BMP effectiveness. (The Forest Service and TRPA would be monitoring the BMPs. If they were not effective, TRPA would recommend new ones that would be more effective for the site. This was addressed also in the standard conditions on Attachment T.) 5) By May 1, 1995, the Forest Service will report to TRPA
Governing Board on progress on the amphibian study.

Ms. Nason asked that the Governing Board prohibit the removal of sugar pines, since the Forest Service had earlier testified that it was highly unlikely that sugar pines would be taken. Now the Forest Service was asking to retain authority to cut them. The League would not object to removing sugar pines that were a hazard to persons or property or a hazard to other sugar pines. The League objected to cutting sugar pines to protect Jeffrey pines or white firs, since sugar pines were so badly decimated in the Basin.

MOTION by Mr. Klein to move the findings to approve the East Shore project. The motion carried unanimously.

MOTION by Mr. Kanoff to approve the project with conditions as proposed.

Mr. Bradhurst asked that an additional condition be included that "the Forest Service solicit comments from Caltrans, the Nevada Department of Transportation, and appropriate local governments of the Tahoe Basin relative to preparation of the traffic control plan."

Mr. Kanoff agreed to add the condition requiring Forest Service coordination with transportation departments and local governments.

Mr. McDowell noted that this was agreeable to the Forest Service.

AMENDMENT by Mr. Waldie to prohibit the taking of sugar pines. The motion failed on the following vote:

Ayes: Ms. Hagedorn, Mr. Cronk, Mr. Westergard, Mr. Bradhurst, Ms. Neft, Mr. Waldie, Mr. Chimarusti

Nays: Mr. Upton, Mr. Kanoff, Mr. Klein, Ms. Lau, Mr. Sevison, Mr. DeLanoy, Ms. Bennett

Abstain: None

Absent: None

Mr. Cronk asked if the project could be approved for this season only. Every time a timber harvest project came to the Board, there were the same arguments from the same people. The Board members were not trained experts in this area, and he favored seeing how the project was proceeding before approving the total three-year proposal. This was an enormous project, and if for some reason, there were problems, it should be shut down.

Mr. Chimarusti explained that should there be violations of the TRPA permit TRPA had the ability to shut the project down. If there were problems with the contractor because of the three-year nature of the contract, that was something for the Forest Service to deal with.

Mr. McDowell expressed sympathy for Mr. Cronk's concern but responded that there would be Forest Service people on the site at all times to ensure the project was proceeding as anticipated.

Mr. Parsons explained that only a nine-month contract would discourage timber
companies from bidding on the sale and jeopardize all phases of the project. Another year could lapse, and board timber would deteriorate and increase the fire hazard. If approved, the timber harvesting could commence as early as July.

The Board members discussed the ability to modify the approval should new information be learned in the first year, enforcement of conditions, the timber’s worth, and the reason the proposal was for three years.

The motion carried unanimously.

Chairman Chimaruati thanked all the speakers for their input.

VIII. PUBLIC HEARING AND ADOPTION OF ORDINANCES (continued)

E. Amendment of Chapter 64, Grading Standards, Relating to Limitations on Depth of Excavation and other Minor Amendments

Mr. Rick Angelocci, Chief of Project Review, reminded the Board that in April staff brought to the Board proposed amendments regarding depth of excavations, and the Board continued the amendments to allow for more input on soils and hydrology report requirements. Staff consulted both with the Lahontan staff and the Soil Conservation Service as well as outside consultants on procedures and methods used for determining depth to groundwater. Staff had distributed to the Board a copy of the SCS letter stating that the proposed reporting requirements adequately addressed depth-to-groundwater concerns. The Lahontan letter, which also was given to the Board, supported the recommended process and asked that the reports also identify the SEZ setback areas as required in the code. This was something that normally would be done as a part of the land capability verification. The amendments would permit excavations in excess of five feet, provided they would not interfere with groundwater. Currently the regulations prohibited any excavation greater than five feet.

Ms. Rochelle Nason, for the League to Save Lake Tahoe, agreed that the package was better than the one brought to the Board in April but suggested that the code require applicants to show the need for the excavation in excess of five feet. There was no way ahead of time to guarantee there would be no interception of groundwater, and there was no reason to encourage residential basements. She urged that there be a requirement for a demonstrated need for the excavation. The League was also concerned that staff was spending time on code amendments which, as an example, would permit basements, when there were water quality matters of a much greater priority for the staff. She favored retention of current code language, with the ability to address additional excavation in the context of redevelopment projects, as now was permitted in Chapter 15. One additional exception could be added for scenic benefits resulting from excavation.

Mr. Angelocci explained any amendments now being proposed prohibited interference with groundwater. The amendment required that where there was a possibility of groundwater interference even with excavations less than five feet there be a report.
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Mr. Gary Midkiff, Zephyr Cove resident, supported the staff proposal and suggested it would allow applicants to deal with what was now a very difficult design issue involving inflexibility. The amendment would permit below grade parking and give more flexibility in design and use of permitted coverage.

Mr. Lew Feldman, on behalf of the Park Avenue development partners, agreed with Mr. Midkiff and complimented staff for responding to earlier discussions. TRPA staff, Lahontan, and SCS all agreed that the amendment responded to groundwater concerns and provided a program that was responsive to scoping and process. He felt the ordinance provided added flexibility and would be necessary for the Park Avenue project to proceed.

Since no one else wished to speak, Mr. Chimarusti closed the hearing.

MOTION by Ms. Lau to make the findings necessary to amend Chapter 64 as proposed by staff. The motion carried unanimously.

(Mr. Upton left the meeting at 7:35 p.m.)

MOTION by Mr. Klein to adopt Ordinance No. 94-10.

Mr. Chimarusti read the ordinance by title:

An Ordinance Amending Ordinance No. 87-9, as Amended, of the Tahoe Regional Planning Agency Amending Chapter 64 of the Code of Ordinances Relating to Grading Standards and Limitations on Depth of Excavation; and Providing for Other Matters Properly Relating Thereto.

The motion carried unanimously.

G. Amendment of Chapters 2, 41, and 43 Relating to Subdivisions

Agency Special Projects Attorney Susan Scholley distributed an amended ordinance containing provisions pertaining only to existing urban areas and not to preferred affordable housing. The only items being discussed were relocation of urban area definitions, the urban boundary freeze, and technical amendments. The Board was asked to consider a prohibition on subdivisions outside the existing urban boundaries as they existed on July 1, 1994.

Ms. Scholley summarized previous Board member concerns with provisions in the code regarding subdivisions and correspondence and comments received from the League, Lahontan and the public. Ms. Scholley explained the proposed amendments in more detail, the rationale for them, and the APC's action to continue the matter for submittal of more information on housing. Because the bulk of the APC discussion and testimony was directed at the restriction on residential subdivisions within the preferred affordable housing areas, this particular issue was not being considered at this time.

Mr. Richard Mudgett, APC member and Incline resident, spoke on the process and suggested that an ordinance enacted as an urgency was only to hold for a certain period of time until the Board could take appropriate action to solve the health, safety and welfare issue. An urgency ordinance delayed the requirement for public hearing. As an APC member, he felt there was not an
appropriate public hearing process here. This proposal would lower the
density of a specific piece of land, a downzoning. Before this could be done,
there needed to be two public hearings with ample public input. There were
people in Incline who knew nothing of the proposal, and the matter was tabled
at the APC because of lack of due process.

Mr. Gregg Lien, representing Lawyer’s Title Company, suggested the amendment
was before the Board in a forced, urgency context because it was inextricably
bound up with the League to Save Lake Tahoe’s lawsuit on the Douglas County
Community Plan. There had been a dirth of public involvement and
participation, and he had not had a chance to review the latest language. The
public workshops held by staff were not well publicized or attended. There
were a number of things in the proposed League/TRPA settlement (on the Douglas
County CP) which were, in effect, ordinance amendments which tied the Agency’s
hands for five years and established new findings. Required findings should
result from ordinances, not from settlement agreements. TRPA should not
constantly be caving in to a special interest group but should retain its
independent discretion to act. The amendments would prohibit the Board’s
ability to even look beyond the urban boundary. Mr. Lien gave more specifics
on the amendment and how it would affect the Lawyer’s Title property in the
vicinity of the Round Hill CP and noted the proposed action was improperly
noticed. He encouraged the Board not to approve the amendments and foreclose
its options.

Ms. Mary Gilanfarr, for the Tahoe Sierra Preservation Council, suggested she
had not known of the staff workshops and suggested the subdivision ordinance
itself was so new that the public was just beginning to understand it. She
urged the Board not to tinker with it until it knew what was out there. The
Board had the authority to approve or not approve every project brought before
it, and if the Board’s goal was to deny a project in Douglas County, it should
do so up front and not redline additional properties in a broadbrush approach.
Ms. Gilanfarr urged the Board to turn down the proposal or, at the least,
continue it for more input.

Ms. Nancy Sjursen, a planning consultant with Sierra Planning, noted the APC
had unanimously approved a continuance, and at this time no affected property
owners had an idea that the subdivision rules were changing. She was not
notified of the June 3 workshop in time to attend, and those with pending
subdivision projects were not aware of the proposal and the speed with which
it was being processed. More public education and participation were needed,
and the APC recommendation for continuance needed to be honored.

Mr. Alan Fleming, an Incline resident and builder, suggested the amendment was
a taking of property. In Incline Village, there were only 12 multi-family
allocations a year, hardly a building boom. And now TRPA was proposing a
moratorium that was not acceptable. Because of a political issue involving
the League’s concern with approval of a South Shore project, the Agency was
being held hostage by a lawsuit. This was not fair to small property owners.

Mr. Gordon DePaoli, for Park Cattle Company, explained that as part of the
Douglas County CP the Park Cattle Company had proposed another wing, which
would have involved some multi-family affordable housing. Some felt this
involved subdivision issues. The proposed subdivision ordinance amendment should not be tied to settlement of that litigation but should be considered solely on its merits. If the Board's vote on the issue was such that there was no settlement of the League's litigation, then so be it. This was an issue that was wholly independent of the litigation.

Ms. Rochelle Nason, for the League to Save Lake Tahoe, concurred that the amendments should be considered entirely separate and on their own merits from the issue of the potential settlement of the League's case against TRPA. There was nothing in the proposed change that would prohibit subdivisions in the Incline Village area. Under the existing code, subdivisions were permitted in the existing urban areas; the main change would provide that subdivisions were only permitted in urban areas existing on July 1, 1994. Subdividing post-1987 projects was to occur only in urban areas existing on July 1, 1994. The League's concern here was that someone could obtain permission to build a multi-family project outside an urban area on the grounds that there would be no subdividing, build the project, and then suggest that because the property was now urban it could be subdivided.

Mr. Walddie expressed concerns with the process, the APC recommendation for continuance, and the linkage between the settlement agreement and the process.

Mr. Bradhurst commented that the APC had focused on the affordable housing issue because of its significance, and he did not agree that the urban boundary issue had been given a full hearing. He was concerned with the effect of the proposed subdivision prohibition on the ability of the CP teams to look at and plan for potential modifications to the urban boundaries. This proposal would freeze those boundaries and was unfair to those CP teams who had been working for years on these same matters. The issue was not a minor one and needed full public discussion.

Mr. Sevison agreed the matter needed more public input and expressed concern with the effect of the proposed amendments on redeveloping areas, relocating residents, and low cost housing in Kings Beach. He was concerned that TRPA's hands were being tied, and he would like to have more time to look at the impacts of the amendments and to consider APC input.

Ms. Bennett suggested she favored infill of existing areas prior to consideration of different or additional areas for subdivision. Plans were dynamic and needed to be flexible to change, and it appeared the amendments significantly tied the Agency's hands. She needed a lot more information on this before she could act.

Mr. Paul Kaleta, with Basin Strategies, suggested the amendments were being proposed as a means of settling the League's law suit. It was possible that there were current urban boundaries that had some flaws. It was also possible that there were high capability parcels adjacent to existing urban boundaries that were more suitable for development than low capability areas within urban areas. The transfer of development program was an integral part of TRPA's plan, and the inability to retire low IPES score lots for transfer to high capability parcels was disrupting this plan. TRPA should not eliminate the
opportunity to review projects on their merits. If TRPA was concerned with expansion of the urban boundary, it currently had the ability to deny such requests on an individual basis. Because of the APC’s recommendation on a continuance, many property owners assumed the amendments would not be acted on by the Board today.

Executive Director Jim Baetge suggested that, based on the testimony, it was appropriate to spend more time on the proposal, and he recommended a continuance.

MOTION by Mr. Waldie to continue the amendments.

Mr. Klein suggested that some Board members would favor dropping any further consideration of subdivision amendments altogether and directing staff to work on other matters. The subdivision amendment was coming out of the blue and was connected only to the lawsuit. He recommended that the Board either reject the concept at this time and have staff bring it back when it was a part of the work program or approve it.

Mr. Sevison suggested that the amendments were part way through the hearing process and he did not want to see the APC process discontinued.

The motion carried with Mr. Klein voting in opposition. (Members present: Mr. Cronk, Mr. Westergard, Mr. Kanoff, Ms. Lau, Mr. Klein, Mr. Sevison, Mr. Bradhurst, Ms. Neft, Mr. DeLancy, Mr. Waldie, Ms. Bennett, Ms. Hagedorn, Mr. Chimarusti)

XII. COMMITTEE RECOMMENDATIONS AND BOARD ACTION

B. Legal Committee

2. Settlement Offers League to Save Lake Tahoe v. TRPA and Committee for Lake Planning v. TRPA Cases (Douglas County Community Plan Litigation)

Agency Counsel R. J. Nicolle asked that the Board continue the settlement and authorize staff to waive the statute of limitations for the Stateline/Ski Run plan so staff could continue with its motions scheduled for July.

MOTION by Mr. Sevison to continue the settlement offers as requested. The motion carried unanimously.

3. Settlement Offer Concerning Lawyer’s Title Insurance Company v. TRPA

MOTION by Ms. Neft to continue this matter. The motion carried unanimously.

Ms. Nicolle reminded the Board that she would be taking the Nevada Bar in July and would not be present at the July Board meeting.
XV. ADJOURNMENT - The meeting adjourned at 8:35 p.m.

Respectfully submitted,

[Signature]

Julie D. Frame
Clerk to the Governing Board

This meeting was taped in its entirety. Anyone wishing to listen to the tapes may call for an appointment at (702) 588-4547. In addition, written documents submitted at the meeting are available for review at the TRPA office, 308 Dorla Court, Zephyr Cove, Nevada.

These minutes were approved as presented on July 27, 1994.